IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

MACA.No. 730 of 2007(C)

OP(MV).NO.106/1999 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, IRINJALAKUDA.
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APPELLANT/PETITIONER IN OP(MV):

AKBARSHA M.S., S/O. SULTAN M.A.,
MANAKULANGARAPARAMBIL HOUSE, JUMNA NAGAR DESOM,
KORATTY P.O., MUKUNDAPURAM TALUK, THRISSUR DIST.,
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER
P.J.ABDUL RAZAK, S/O.JAMALUDEEN, PALAYAMKOTTUKARAN
HOUSE, IRINJALAKUDA, THRISSUR DISTRICT.

BY ADV. SRI.P.V.BABY,
SRI.A.N.SANTHOSH.

RESPONDENTS/RESPONDENTS 1, 2 AND 4 IN OP(MV):
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1. **SHAHAG P.A.,**
   PALAYAMKOTTU HOUSE, IRINJALAKUDA P.O.

2. **JOHNY GEORGE @ JOHNY,**
   PYNADATHU HOUSE, KARUKUTTY P.O.

3. **MANAGER,**
   THE NEW INDIA ASSURANCE CO. LTD., IRINJALAKUDA.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.No.730 OF 2007

Dated 7th June, 2007

JUDGMENT

Koshy,J.

Appellant/petitioner sustained injuries due to an accident. The Tribunal found that the accident occurred due to the negligence of the driver of the vehicle insured by the third respondent insurance company. The Tribunal also found that after the accident the appellant got employment abroad and he is working there. There is no loss of earning capacity. However, considering the injuries and medical expenses, the Tribunal awarded a total compensation of Rs.51,446/= with interest. Considering the nature of injuries, his present employment and other attendant circumstances as considered by the Tribunal, we are of the opinion that just and reasonable compensation was awarded and no interference is required.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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